

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
JANUARY 20, 2010

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, January 20, 2010, at 7:00 p.m.**, in the Legislative Room 203, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 7:00 p.m.

Invocation.

Pledge of Allegiance to the Flag.

Present: Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Brunette,
 Zima, Evans, Vander Leest, Johnson, Dantine, La Violette, Andrews, Kaster,
 Williams, Fleck, Clancy, Wetzel, Moynihan, Scray, Hoeft, Lund, Fewell

Excused: Knier

Total Present: 25 Total Excused: 1

**** PRESENTATION ****

Judy Krawczyk - NEW Zoo/N.E.W. Zoological Society

No. 1 -- ADOPTION OF AGENDA.

A motion was made by Supervisor Moynihan and seconded by Supervisor Fleck **“to adopt the agenda as presented”**. Voice vote taken. Motion carried unanimously with no abstentions to adopt the agenda.

No. 2 -- COMMENTS FROM THE PUBLIC REGARDING AGENDA ITEMS ONLY.
None.

No. 3 -- APPROVAL OF MINUTES OF COUNTY BOARD OF DECEMBER 16, 2009.

A motion was made by Supervisor Krueger and seconded by Supervisor La Violette **“to approve the minutes of December 16, 2009.”** Voice vote taken. Motion carried unanimously with no abstentions.

No. 4 -- ANNOUNCEMENTS BY SUPERVISORS.

Supervisor Evans invited everyone to the Quad Parish (St. Patrick, Annunciation, St. Jude and St. Joseph) Annual Mardi Gras on February 12th, 2010 at Riverside Ballroom.

Supervisor Evans wished Chairman Guy Zima a Happy "64th" Birthday.

No. 5 -- COMMUNICATIONS. NONE. LATE COMMUNICATIONS:

No. 5a -- FROM SUPERVISOR WILLIAMS REGARDING: I WOULD LIKE THE INFORMATION SERVICES POSITION OF KAREN CHRISTENS, WHO WAS BELIEVED TO BE IN THE INFORMATION SERVICES TABLE OF ORGANIZATION, TO BE RETURNED TO THAT TABLE OF ORGANIZATION. IT WAS THE UNDERSTANDING OF THE COUNTY BOARD, AT BUDGET DELIBERATIONS, THAT ALL INFORMATION SERVICES POSITIONS BE IN THE INFORMATION SERVICES TABLE OF ORGANIZATION. MS. CHRISTENS WAS MOVED TO THE ADMINISTRATION'S TABLE OF ORGANIZATION WITHOUT THE KNOWLEDGE OF THE COUNTY BOARD.

Refer to Administration Committee.

No. 5b -- FROM SUPERVISOR CLANCY REGARDING: TO ASK THE PUBLIC SAFETY COMMITTEE TO SET A DATE IN FEBRUARY TO HOLD AN OPEN HOUSE AT THE NEW PUBLIC SAFETY COMMUNICATION CENTER FOR THE GENERAL PUBLIC.

Refer to Public Safety Committee.

No. 5c -- FROM SUPERVISOR HAEFS REGARDING: A REQUEST THAT THE COMMITTEE DISCUSS HAVING THOSE DEPARTMENTS WITH PLANNING DEVELOPMENT OVERSIGHT PRESENT 2011 BUDGETS WITH ZERO LEVY DOLLAR INCREASES.

Refer to Planning, Development and Transportation Committee.

No. 5d -- FROM SUPERVISOR KASTER AND SUPERVISOR ERICKSON REGARDING: REVIEW THE COMPENSATION PACKAGE FOR THE NEW 911 DIRECTOR POSITION.

Refer to Public Safety Committee.

No. 6 -- APPOINTMENT BY COUNTY EXECUTIVE.

No. 6a -- REAPPOINTMENT OF SUPERVISOR MIKE FLECK AND JOHN KATERS TO THE SOLID WASTE BOARD FOR THREE (3) YEAR TERMS EXPIRING NOVEMBER 30, 2012.

A motion was made by Supervisor De Wane and seconded by Supervisor Dantine "to approve the above appointments". Voice vote taken. Motion carried unanimously with no abstentions.

No. 7a -- REPORT BY COUNTY EXECUTIVE.

County Executive Hinz hoped everyone had a wonderful Holiday Season.

Mr. Hinz announced that the JOSHUA Group on February 14th, will have a fundraiser for Haiti.

Executive Hinz gave an update on the old Mental Health Center, including the costs of upkeep for the building. He asked everyone to come forward with any ideas for the property.

Mr. Hinz announced that there will be an H1N1 Clinic on January 21, 2010 from 3:30 p.m. to 6:00 p.m. at East High School.

Executive Hinz announced there will be a Children's Charity Golf Outing sponsored by the Community Partnership for Children, on September 8th. It will be held at the Brown County Golf Course and invited all to participate.

Mr. Hinz announced that Jim Nichols, Director of Public Safety Communications is leaving and complimented Jim on the new 911 Center.

No. 7b -- REPORT BY BOARD CHAIRMAN.

Chairman Zima made remarks about an editorial in the Green Bay Press Gazette. After 3 decades of ridicule from the Press Gazette, Mr. Zima said he wears the ridicule as a badge of honor because he has survived 34 years on the County Board.

No. 8 -- OTHER REPORTS.

No. 8a -- TREASURER'S FINANCIAL REPORT FOR MONTH OF SEPTEMBER 2009

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account from the Brown County Treasurer as of September 30, 2009.

Associated Bank and Chase Bank	\$2,195,328.81
Bank Mutual and Denmark State Bank	\$542.64
Wisconsin Development Fund	\$0.00
Overnight Investments	\$0.00
Deposits in Transit	\$24,471.91
Emergency Fund	(\$6,682.70)
NSF Checks Redeposited	\$41.74
Clerk Passport Account	\$0.00
Workers Comp Acct.	(\$2,587.42)
UMR Sweep Account	(\$590,928.64)
Bank Error(s)	\$0.00
Total	<u>\$1,620,186.34</u>
Less Outstanding Checks	(\$1,649,558.42)
Other Reconcilable Items	<u>\$10,172.86</u>
Balance Per County	<u>(\$19,199.22)</u>

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of September 30, 2009.

	2008	2009
Year-to-Date Interest Received	\$3,463,781.45	\$1,850,089.38
Interest Received-Current Month	<u>\$576,571.20</u>	<u>\$139,130.13</u>
Year-to-Date Interest Unrestricted Funds	\$4,040,352.65	\$1,989,219.51
Working Capital Reserves Invested	\$103,695,156.09	\$99,489,818.14
Restricted Investments	<u>\$39,904,011.85</u>	<u>\$26,455,197.85</u>
Total Funds Invested	\$143,599,167.94	\$125,945,015.99
Certificates of Deposits	\$24,100,000.00	\$10,350,000.00
Treas-Gov't Agencies	\$35,701,602.40	\$42,263,173.46
Commercial Paper	\$9,944,055.56	\$4,995,125.00
Money Mkt-Pool	<u>\$73,853,509.98</u>	<u>\$68,336,717.53</u>
Total	\$143,599,167.94	\$125,945,015.99
Rate of Return:	2.895%	1.769%

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of September 30, 2009. Statement of Investments for the month of September have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney
County Treasurer

A motion was made by Supervisor Fleck and seconded by Supervisor Andrews "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive Date: 1/27/2010

No. 8b -- TREASURER'S FINANCIAL REPORT FOR MONTH OF OCTOBER 2009

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account from the Brown County Treasurer as of October 31, 2009.

Associated Bank and Chase Bank	\$5,119,294.95
Bank Mutual and Denmark State Bank	\$542.64
Wisconsin Development Fund	\$0.00
Overnight Investments	\$0.00
Deposits in Transit	\$104,764.14
Emergency Fund	(\$6,734.09)
NSF Checks Redeposited	\$683.50
Clerk Passport Account	\$0.00
Workers Comp Acct.	(\$6,599.51)

UMR Sweep Account	(\$435,183.75)
Bank Error(s)	\$0.00
Total	<u>\$4,776,767.88</u>
Less Outstanding Checks	(\$5,168,818.58)
Other Reconcilable Items	<u>(\$190,385.63)</u>
Balance Per County	<u>(\$582,436.33)</u>

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of October 31, 2009.

	2008	2009
Year-to-Date Interest Received	\$4,040,352.65	\$1,989,219.51
Interest Received-Current Month	<u>\$630,745.07</u>	<u>\$141,256.43</u>
Year-to-Date Interest Unrestricted Funds	<u>\$4,671,097.72</u>	<u>\$2,130,475.94</u>
 Working Capital Reserves Invested	 \$87,797,867.87	 \$89,718,310.96
Restricted Investments	<u>\$39,904,011.85</u>	<u>\$16,527,860.53</u>
Total Funds Invested	<u>\$127,701,879.72</u>	<u>\$106,246,171.49</u>
 Certificates of Deposits	 \$16,100,000.00	 \$11,850,000.00
Treas-Gov't Agencies	\$38,710,018.56	\$40,781,493.61
Commercial Paper	\$12,928,930.56	\$0.00
Money Mkt-Pool	<u>\$59,962,930.60</u>	<u>\$53,614,677.88</u>
Total	<u>\$127,701,879.72</u>	<u>\$106,246,171.49</u>

Rate of Return:	2.781%	1.899%
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I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of October 31, 2009. Statement of Investments for the month of September have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney
County Treasurer

A motion was made by Supervisor Clancy and seconded by Supervisor Andrews "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive Date: 1/27/2010

No. 9 -- STANDING COMMITTEE REPORTS:
No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF DECEMBER 22, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on December 22, 2009, and recommends the following motions:

1. Review of Minutes
 - a. Housing Authority (November 16, 2009). Receive and place on file.
 2. Communication from Supervisor Knier re: Adopt a resolution requiring a salary study for each position and candidate filled by appointment. (Referred from December County Board.) Hold until January meeting.
 3. ** Communication from Supervisor Williams & Supervisor Knier re: To adjust the Classification and Compensation Plan for Brown County Employees downward two steps. (Referred from December County Board.) Hold until January meeting.
- ** Item #3 -- Receive and place on file as per the County Board on 1/20/2010.
4. Communication from Supervisor Knier re: Require Human Resources to provide cost of living adjustments based on location when providing comparable salary numbers. (Referred from December County Board.) Hold until January meeting.
 5. Treasurer's Financial Report for the Month of September and October. To approve the financial report.
 6. Treasurer - Budget Status Financial Report for September 30 and October 31, 2009. To approve.
 7. Facility & Park Mgmt - Budget Status Financial Report for October 31, 2009. To approve.
 8. Facility & Park Mgmt - Budget Adjustment Request (#09-115): Increase in expenses with offsetting increase in revenue. To approve.
 9. Facility & Park Mgmt - Budget Adjustment Request (#09-139): Change in any item within Outlay account which requires the reallocation of funds from any other major budget classification or the reallocation of Outlay funds to another major budget classification. To approve.
 10. Facility & Park Mgmt - Director's Report. Receive and place on file.
 11. Dept. of Admin - 2009 Budget Adjustment Log. To approve.
 12. Dept. of Admin - Grant Application Approval Log. To approve.
 13. Dept. of Admin - October 2009 Property Tax Levy Financial Report. To approve.
 14. Administration - Budget Status Financial Report for October 31, 2009. To approve.
 15. Information Services - Budget Status Financial Report for September 30, 2009. To approve.
 16. Dept. of Admin - Budget Adjustment Request (#09-134): Increase in expenses with offsetting increase in revenue. To approve.
 17. Information Services Update for Administration Committee December 22, 2009. Receive and place on file.
 18. Dept. of Admin - Director's Report. Receive and place on file.
 19. Human Resources - Budget Status Financial Report for October 31, 2009. To approve.
 20. Human Resources Activity Report for November 2009. Receive and place on file.
 21. Human Resources - 2010 Budget – Summary of Position Eliminations. To approve.
 22. Human Resources - Request to Fill Vacancy: Director of Administration. To approve.
 23. Human Resources - Request for Benefits for LTE position. To approve.
 24. Human Resources - Director's Report.
 - a. Hiring of Organizational Development Coordinator. To approve.
 25. Child Support Agency – Budget Status Financial Report for October 31, 2009.
 26. Corporation Counsel – Budget Status Financial Report for October 31, 2009.
 27. County Clerk – Budget Status Financial Report for October 31, 2009. To approve 25, 26 & 27

28. Audit of bills. To approve audit of bills.

A motion was made by Supervisor Andrews and seconded by Supervisor Lund **“to adopt”**. Supervisor Evans requested Item #3 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #3 -- Communication from Supervisor Williams and Supervisor Knier regarding: To adjust the Classification and Compensation Plan for Brown County Employees downward two steps. (Referred from December County Board.) COMMITTEE ACTION: Hold until January meeting.

A motion was made by Supervisor Lund and seconded by Supervisor Theisen **“to hold until January meeting as per the Committee action”**.

A motion was made by Supervisor Evans and seconded by Supervisor Johnson **“to receive and place on file item #3”**. After discussion, a vote was taken on Supervisor Evan’s motion **“to receive and place on file item #3”**. Voice vote taken. Motion carried.

Approved by: \s\ Tom Hinz, County Executive Date: 1/27/2010

No. 9b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF JANUARY 7, 2010

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on January 7, 2010 and recommends the following:

1. Review minutes of:
 - a) Library Board (11/19/09). Receive and place on file.
2. Zoo Monthly Activity Report.
 - a. Visitor Center Operation Reports:
 - i. Admissions Revenue Attendance.
 - ii. Gift Shop, Concessions, Admission & Zoo Pass Revenue. Receive and place on file.
 - b. Curator’s Report - Animal Collection Report December, 2009. Receive and place on file.
 - c. Education & Volunteer Programs Report November 2009. Receive and place on file.
3. NEW Zoo - Budget Adjustment Request (#09-128): Increase in expenses with offsetting increase in revenue. See Item #4
4. NEW Zoo - Budget Adjustment Request (#09-129): Increase in expenses with offsetting increase in revenue. Suspend the rules and take items No. 3 and No. 4 together. Approve Items No. 3 and No. 4.
5. NEW Zoo - Director’s Report. Receive and place on file.
6. Museum - Budget Status Financial Report for November 30, 2009. To approve.
7. Museum - Attendance & Admission, November 2009. Receive and place on file.

8. Museum - Director's report. Receive and place on file.
9. Golf Course - Budget Status Financial Report for November 30, 2009. Receive and place on file.
10. Golf Course Financial Statistics as of December 20, 2009. Receive and place on file.
11. Golf Course - Superintendent's Report. Receive and place on file.
12. Parks - Budget Adjustment Request (#09-141): Increase in expenses with offsetting increase in revenue. To approve.
13. Parks - Budget Status Financial Report for October, 2009. Receive and place on file.
14. Parks - Director's Report for November, 2009. Receive and place on file.
15. Resch Centre/Arena/Shopko Hall - November-09 Attendance for the Brown County Veterans Memorial Complex. Receive and place on file.
16. Library - Budget Status Financial Report for November 30, 2009. Receive and place on file.
17. Library Engineering Assessment. Receive and place on file.
18. Library - Director's Report. Receive and place on file.
19. Audit of bills. Pay the bills.

A motion was made by Supervisor Johnson and seconded by Supervisor Vander Leest "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive Date: 1/27/2010

No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF JANUARY 11, 2010

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on January 11, 2010 and recommends the following motions:

1. Communication from Supervisor Knier -- Ask for a modification to Section 2.03(3)(e) to include a provision for emergency contracting. To send this to Board Attorney to review ordinance and bring back in 60 days.
 2. ** Communication from Supervisor Williams and Supervisor Knier -- To adjust the Classification and Compensation Plan for Brown County Employees downward two steps. (Referred from December County Board.) To hold for one month until after Administration Committee meeting.
- ** Item #2 -- Receive and place on file as per the County Board on 1/20/2010.
3. Communication from Supervisor Vander Leest -- Request for an audit of all countywide benefit programs and to report back to the Executive Committee with those findings and for any internal controls needed to protect the county taxpayer. (Referred from December County Board.) To refer to Internal Auditor to audit all countywide benefits programs and report back to Executive Committee in 60 days.
 4. Review and Possible Action on Legal Bills to be paid. To pay the legal bills as in the Executive Committee agenda packet as of Monday, January 11, 2010.

5. Internal Auditor Report.
 - a. 2009 Audit Plan – Work Completed. Receive and place on file.
 - b. Budget Status Financial Report for November 30, 2009. Receive and place on file.
 - c. Other. Receive and place on file.
6. County Executive Report.
 - a. Budget Status Financial Report for November 30, 2009. Receive and place on file.
7. Labor Negotiator Report. Receive and place on file.
8. Board Attorney Report.
 - a. Hiring Freeze Policy. To approve the hiring freeze policy.
9. Review Brown County requirements of ID when applying for any Social Services from the County. To have Brian Shoup and Bob Heimann look into this and report back within 60 days with the benefits it would provide to Human Services.
10. Request to fill Vacancy: 1st Mechanic – Highway Department. *Motion at PD&T Cmte: To approve. To approve.*
11. Request to fill Vacancy: Sanitary Inspector. *Motion at PD&T Cmte: To refer to Human Resources to work with staff to eliminate the Sanitary Inspector position and create a new administrative position and bring back to committee in January. To hold until February.*
12. Request to fill for the following Vacancies:
 - a. AODA II, Social Worker/Case Manager (Long-term Support for Elderly & Physically Disabled Services)
 - b. AODA Clinical Supervisor
 - c. MDS (Minimum Data Set) RN
 - d. Nursing Home AdministratorTo suspend the rules and take Items No. 12a-d together. To approve Items No. 12a-d.
13. Ordinance re: To Create Sec. 30.08 of the Brown County Code Entitled “Pawn Brokers and Secondhand Article and Jewelry Dealers.” To approve. See Resolutions, Ordinances January County Board.
14. Ordinance re: To Create Sec. 30.09 of the Brown County Code Entitled “Purchase and Sale of Scrap Metal.” To hold for one month.
15. A closed session pursuant to sec. 19.85(1)(c), Stats., to discuss strategy for labor negotiations regarding furloughs.
 - i. Enter into closed session.
 - ii. Return to regular order of business.
 - iii. No action taken.

A motion was made by Supervisor La Violette and seconded by Supervisor Johnson “**to adopt**”. Supervisor Dantine requested item #2 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #2 -- Communication from Supervisor Williams and Supervisor Knier -- To adjust the Classification and Compensation Plan for Brown County Employees downward two steps. (Referred from December County Board.) COMMITTEE ACTION: To hold for one month until after Administration Committee meeting.

A substitute motion was made by Supervisor Williams and seconded by Supervisor Dantine "to receive and place on file". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive

Date: 1/27/2010

No. 9d -- REPORT OF HUMAN SERVICES COMMITTEE OF DECEMBER 16, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on December 16, 2009, and recommends the following motions:

1. Review Minutes of:
 - a. Aging & Disability Resource Center Personnel Committee (December 4, 2009).
 - b. Children with Disabilities Education Board (November 17, 2009).Receive and place on file Items 1a & 1b.
2. Communication from Supervisor Scray re: Review Brown County requirements of ID when applying for any Social Services from the County. Discuss the possibility of making Brown County requirements of ID stricter to prevent fraud. (Held from November Meeting.) To hold till January.
3. Aging & Disability Resource Center - Computer Courses at Aging Resource Center. To support the ADRC Board in its recommendation to not continue the computer classes at the ADRC.
4. Aging & Disability Resource Center - Review and Approve Specialized Transportation Grant S.85.21. To approve.
5. Aging & Disability Resource Center - Financial Report of October 31, 2009. To approve.
6. Human Services Dept. - Budget Adjustment Request (#09-123): Increase in expenses with offsetting increase in revenue. To approve.
7. Human Services Dept - Director's Report. Receive and place on file.
8. Human Services Dept - Family Care Update. Receive and place on file.
9. Human Services Dept - Community Treatment Center Update. Receive and place on file.
10. Human Services Dept - Community Treatment Center Statistics. Receive and place on file.
11. Human Services Dept - Bellin Psychiatric Monthly Report. Receive and place on file.
12. Human Services Dept - Approval of 2010 Non-Continuous Vendors. To approve.
13. Human Services Dept - Approval of Projected 2010 Contracts. To approve.
14. Human Services Dept - Monthly Contract Update. To approve.
15. Human Services Dept - Financial Report for Community Programs. Receive and place on file.
16. Human Services Dept - Financial Report for Community Treatment Center. Receive and place on file.

Health Dept. – No Agenda Items.

Syble Hopp School – No Agenda Items.

Veterans Dept. – No Agenda Items.

17. Audit of Bills. To pay the bills.

A motion was made by Supervisor Evans and seconded by Supervisor Moynihan "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive Date: 1/27/2010

No. 9e -- REPORT OF PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE OF DECEMBER 28, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE met in regular session on December 28, 2009 and recommends the following motions.

1. Review minutes of:
 - a) Harbor Commission (October 12, 2009).
 - b) Planning Commission Board of Directors (October 7, 2009).
 - c) Planning Commission Board of Directors (November 4, 2009).
 - d) Transportation Coordinating Committee (September 14, 2009).Suspend the rules and approve 1 a, b, c, & d together.
 2. Planning and Land Services - Contract with Advance (Referred from September PD&T). Refer to January meeting.
 3. Land Information Office - Grant Application Review (#09-45): The National Map: Imagery and Elevation Maps under ARRA. To approve grant application.
 4. Planning Commission - Budget Status Financial Report for October 31, 2009. Receive and place on file.
 5. Property Listing - Budget Status Financial Report for October 31, 2009. Receive and place on file.
 6. Zoning - Budget Status Financial Report for October 31, 2009. Receive and place on file.
 7. ** Zoning - Request to Fill Vacancy: Sanitary Inspector. Refer to Human Resources to work with staff to eliminate the Sanitary Inspector position and create a new administrative position and bring back to committee in January.
- ** Item #7 -- Refer back to Planning, Development & Transportation Committee as per the County Board on 1/20/2010.**
8. Zoning - Discussion and Action regarding Implementation of the POWTS Maintenance Program. (Motion at October PD&T: To approve Option 1 Option D – that POWTS owners must have completed an ESI and returned to BC Zoning by December 31, 2015 (extended from 2013); and Option 1 Suboption E – that holding tanks and mounds be completed first.) Motion at October County Board: Refer to December Planning, Development & Transportation Committee as per the County Board on 10/21/2009. Refer to staff and report back in 60 days.
 9. Highway/Planning Commission - Updates on CTH GV (standing item). Receive and place on file.

10. Highway - November, 2009 Budget to Actual. Receive and place on file.
11. Highway - LED Traffic Signal Maintenance: If Brown County maintains the LED traffic signals, how are they being maintained. Receive and place on file.
12. Highway - 6 Year County Highway Improvement Plan 2011 to 2016. To approve.
13. Highway - Approval of the County taking ownership of the frontage road connection from CTH EB to CTH J. To approve.
14. Highway - Request to Fill Vacancy: 1st Mechanic – Highway Department. To approve.
15. Highway - Director's Report. To receive and place on file.
14. Airport Budget Status Financial Report for November 30, 2009.
15. Register of Deeds Budget Status Financial Report for November, 2009.
16. UW-Extension Budget Status Financial Report for October 31, 2009.
Receive and place on file Budget Status Financial Reports for Airport, Register of Deeds and US-Extension.

Port and Solid Waste – No agenda items.

17. Audit of bills. To approve payment of bills.

A motion was made by Supervisor Kaster and seconded by Supervisor Erickson **“to adopt”**. Supervisor Erickson requested item #7 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #7 -- Zoning - Request to fill vacancy: Sanitary Inspector. COMMITTEE ACTION: Refer to Human Resources to work with staff to eliminate the Sanitary Inspector position and create a new administrative position and bring back to committee in January.

A motion was made by Supervisor Haefs and seconded by Supervisor Erickson **“to refer back to Committee”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive Date: 1/27/2010

No. 9e(i) -- REPORT OF LAND CONSERVATION SUB-COMMITTEE OF DECEMBER 28, 2009

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The LAND CONSERVATION SUB COMMITTEE met in regular session on December 28, 2009, and recommends the following motions.

1. Update on Animal Waste Storage Permit for N.E.W. Organic Digestion, LLC, 6601 County Road R, Denmark, Wisconsin. Receive and place on file.
2. Land and Water Conservation Department Monthly Budget Update (11/30/09). To approve the minutes.
3. Wisconsin Working Lands Initiative – Power Point Presentation by Aaron Schuette, Conservation Compliance requirements by Jim Jolly. Receive and place on file.

4. Grant Application Review (#09-47): Review and approval of Great Lakes Restoration Imitative grants application – Pre Proposal for Total Maximum Daily Load project for Brown, Outagamie and Calumet Counties. To approve grant application.
5. Grant Application Review (#09-48): Review and approval of Great Lakes Restoration Imitative grants application – Pre Proposal for Baird Creek Riparian Projection Project. To approve grant application.
6. Grant Application Review (#09-48): Review and approval of Great Lakes Restoration Imitative grants application – Pre Proposal for West Shore Pike Habitat Restoration Project – Jim Jolly. To approve grant application
7. Director's report. Receive and place on file.

A motion was made by Supervisor Dantinne and seconded by Supervisor Fleck "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive

Date: 1/27/2010

No. 9f -- REPORT OF PUBLIC SAFETY COMMITTEE OF JANUARY 6, 2010

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in special session on January 6, 2010, and recommends the following motions:

1. Review minutes and reports of:
 - a. Criminal Justice Coordinating Board (11/24/09).
 - b. Emergency Medical Services (12/16/09).
 - c. Fire Investigation Task Force General Membership (12/3/09).
 - d. Fire Investigation Task Force Board of Directors (11/12/09).
 - e. FoxComm Fiscal Advisory Board (10/1/09).To suspend the rules and receive and place on file items 1a, b, c, d, and e together.
2. District Attorney - Monthly drug criminal complaint numbers (standing item). Receive and place on file.
3. District Attorney - Budget Adjustment Request (#09-137): Increase in expenses with offsetting increase in revenue. To approve.
4. Public Safety Communications - Grant Application Review (#09-46): Homeland Security – HS NIMS and ICS Training (2008). Receive and place on file.
5. Public Safety Communications - Budget Status Financial Report for November, 2009. Receive and place on file.
6. Public Safety Communications - Budget Adjustment Request (#09-131): Increase in expenses with offsetting increase in revenue. To approve.
7. Public Safety Communications - Director's Report. Receive and place on file.
8. Sheriff - Key Factor Report and Jail Average Daily Population by Month and Type for the Calendar Year 2009. Receive and place on file.
9. Sheriff - Budget Status Report and Budget Performance Report for November, 2009. Receive and place on file.

10. Sheriff - Ordinance re: To Create Sec. 30.09 of the Brown County Code Entitled "Purchase and Sale of Scrap Metal." (*Motion at December Public Safety: Hold for one month.*) See Resolutions, Ordinances January County Board. To hold creation of an ordinance related to "Purchase and Sale of Scrap Metal" for one month for finalization of changes.
11. Sheriff - Ordinance re: To Create Sec. 30.08 of the Brown County Code Entitled "Pawn Brokers and Secondhand Article and Jewelry Dealers." (*Motion at December Public Safety: Hold for one month.*) See Resolutions, Ordinances January County Board. To approve creation of an ordinance related to "Pawn Brokers and Secondhand Article and Jewelry Dealers", with changes made by Corporation Counsel. See Resolutions, Ordinances January County Board.
12. Sheriff - Budget Adjustment Request (#09-144): Reallocation of personnel services and fringe benefits to another major budget classification except contracted services, or reallocation to personnel services and fringe benefits from another major budget classification except contracted services. To approve.
13. Sheriff's Report. Receive report.
14. Clerk of Courts - Budget Status Financial Report for November, 2009. Receive and place on file.
15. Audit of bills. To approve audit of bills.

A motion was made by Supervisor Andrews and seconded by Supervisor Nicholson "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 1/27/2010

No. 10 -- RESOLUTIONS, ORDINANCES:

No. 10j -- ORDINANCE REGARDING: TO CREATE SEC. 30.08 OF THE BROWN COUNTY CODE ENTITLED "PAWN BROKERS AND SECONDHAND ARTICLE AND JEWELRY DEALERS"

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 - Sec. 30.08 of the Brown County Code entitled "PAWN BROKERS AND SECONDHAND ARTICLE AND JEWELRY DEALERS" is hereby created to read as follows:

(1) PURPOSE AND STATUTORY AUTHORITY. Section 134.71, Wis. Stats., is hereby adopted and, by reference, made a part of this chapter with the same force and effect as though fully set out herein notwithstanding the below Subsections. Failure to comply with any of the provisions of this ordinance shall constitute a violation of this chapter, punishable according to the penalties set forth in §1.07 of the Brown County Code of Ordinances.

(2) DEFINITIONS:

(a) Article. Any item of value, excluding only motor vehicles, large appliances, furniture, books, and clothing other than furs.

(b) Reportable Transaction. Every transaction conducted by a pawnbroker, secondhand article and jewelry dealers in which an article or articles are received through a pawn, purchase, consignment, or trade, or in which a pawn is renewed, extended, voided, or redeemed, or for which a unique transaction number or identifier is generated by their point-of-sale software, and is reportable except:

(1) The bulk purchase or consignment of new or used articles from a merchant, manufacturer, or wholesaler having an established permanent place of business, and the retail sale of said articles, provided the pawnbroker must maintain a record of such purchase or consignment that describes each item, and must mark each item in a manner that relates it to that transaction record.

(2) Retail and wholesale sales of articles originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

(c) Secondhand article dealer. Any person, other than an auctioneer, who engages in the business of purchasing or selling secondhand articles, with exceptions as stated in Wis. Stats. Sec. 134.71 (1) (g).

(d) Responsible Law Enforcement Agency. The Responsible Law Enforcement Agency (RLEA) is the entity with the responsibility to collect the data to be furnished by the pawnbroker, secondhand article or jewelry dealer pursuant to this ordinance. The sheriff shall notify pawnbrokers and dealers subject to this ordinance if the RLEA changes in the future.

(3) WHEN DIGITAL PHOTOS ARE REQUIRED.

(a) Pawnbrokers, secondhand article dealers and secondhand jewelry dealers must take a color, digitized photograph of every item pawned or sold that does not have a unique serial or identification number permanently engraved or affixed, excluding only electronic media. One group photo shall suffice for mass items such as several coins acquired in one transaction. If a photograph is taken, it must be at least two (2) inches in length by two (2) inches in width and must be maintained in such a manner that the photograph can be readily matched and correlated with all other records of the transaction to which they relate. Such photographs must be available to the RLEA upon request. Items photographed must be accurately depicted and submitted as digital images, in a format specified by the issuing authority, electronically cross-referenced to the reportable transaction they are associated with. Entries of required digital images shall be retained a minimum of ninety (90) days.

(4) DAILY REPORTS TO RESPONSIBLE LAW ENFORCEMENT AGENCY.

(a) Pawnbrokers and secondhand article and jewelry dealers must submit every reportable transaction to the Responsible Law Enforcement Agency (RLEA) daily in the following manner. Pawnbrokers and secondhand article and jewelry dealers must provide to the RLEA all required information pursuant to State Statute, by transferring it from their computer to the web server via modem designated by the RLEA. All required records must be transmitted completely and accurately after the close of business each day in accordance with

standards and procedures established by the RLEA using procedures that address security concerns of the pawnbroker or secondhand article and jewelry dealer and the RLEA. The pawnbroker or secondhand article and jewelry dealer must display a sign of sufficient size in a conspicuous place on the premises, which informs all patrons that all transactions are reported daily to the RLEA.

(b) If a pawnbroker or secondhand article and jewelry dealer is unable to successfully transfer the required reports by modem, the pawnbroker or secondhand article and jewelry dealer must provide the RLEA with printed copies of all reportable transactions by 12:00 noon the next business day.

(c) If a problem is determined to be in the pawnbroker's or secondhand article and jewelry dealer's system and is not corrected by the close of the first business day following the failure, the pawnbroker or secondhand article and jewelry dealer must provide the required reports as detailed in State Statute, and shall be charged a daily reporting failure fee of \$10.00 until the error is corrected, or, if the problem is determined to be outside the pawnbroker's or secondhand article and jewelry dealer's system, then the pawnbroker or secondhand articles and jewelry dealer must provide the required reports pursuant to State Statute and resubmit all such transactions via modem when the error is corrected.

(d) Regardless of the cause or origin of the technical problems that prevented the pawnbroker or secondhand article and jewelry dealer from uploading, the pawnbroker or secondhand article and jewelry dealer shall upload every reportable transaction from every business day the problem has existed.

(e) The provisions of this section notwithstanding, the RLEA may, upon presentation of extenuating circumstances, delay the implementation of the daily reporting penalty.

(f) This subsection (4) shall not apply to businesses that did not have 200 reportable transactions in the past calendar year. However, any such pawnbroker or secondhand article and jewelry dealer must follow the daily reporting procedure for each reportable transaction by submitting a written transaction form approved by the RLEA to the RLEA on the business day following the date of the reportable transaction.

(5) SEVERABILITY. If any section of this ordinance is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

Section 2 - This ordinance shall become effective upon passage and publication.

Respectfully submitted,
PUBLIC SAFETY COMMITTEE

A motion was made by Supervisor Lund and seconded by Supervisor Clancy **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:	<u>\s\ Tom Hinz, County Executive</u>	Date:	1/27/2010
Approved by:	<u>\s\ Darlene K. Marcelle, County Clerk</u>	Date:	1/28/2010
Approved by:	<u>\s\ Guy Zima, Board Chairman</u>	Date:	2/02/2010

No. 10k -- RESOLUTION REGARDING: 2010 COUNTY-TRIBAL LAW ENFORCEMENT GRANT

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Wisconsin Department of Justice will make available up to \$39,763 for a joint County-Tribal Law Enforcement grant to be shared between Brown County and the Oneida Nation; and

WHEREAS, the grant would allow both agencies to work together in a spirit of cooperation and sharing of resources which allow the agencies to address issues in law enforcement and public safety that affect Brown County as a whole and the Native American population and other minority populations; and

WHEREAS, approximately half of the grant funds would be used to purchase law enforcement equipment for the Sheriff's Department, as designated in the 2010 budget; and

WHEREAS, remaining funds would be used for items deemed reasonable and necessary by the Oneida Nation for public safety purposes.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that Brown County will continue working cooperatively with the Oneida Nation in the area of public safety and law enforcement and will participate in the 2010 County-Tribal Law Enforcement Grant.

BE IT FURTHER RESOLVED, that the Brown County Sheriff's Department's 2010 budget already reflects the County's original budget estimated portion of grant revenues and expenditures in the amount of \$19,882 representing Brown County's share.

Respectfully submitted,
PUBLIC SAFETY COMMITTEE

A motion was made by Supervisor Warpinski and seconded by Supervisor Kaster **"to adopt"**. Voice vote taken. Motion carried with Supervisor Hoeft abstaining.

Approved by: \s\ Tom Hinz, County Executive Date: 1/27/2010

No. 11 -- SUCH OTHER MATTERS AS AUTHORIZED BY LAW. None.

No. 12 -- BILLS OVER \$5,000 FOR PERIOD ENDING DECEMBER 31, 2009.

A motion was made by Supervisor Clancy and seconded by Supervisor Fleck **"to pay the bills over \$5,000 for period ending December 31, 2009"**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 13 -- CLOSING ROLL CALL:

Present: Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Brunette,
Zima, Evans, Vander Leest, Johnson, Dantine, La Violette, Andrews, Kaster,
Williams, Fleck, Clancy, Wetzel, Moynihan, Scray, Hoeft, Lund, Fewell

Excused: Knier

Total Present: 25 Total Excused: 1

**No. 14 -- ADJOURNMENT TO WEDNESDAY, FEBRUARY 17TH, 2010, AT 7:00 P.M.
LEGISLATIVE ROOM, #203, CITY HALL, 100 NORTH JEFFERSON STREET,
GREEN BAY, WISCONSIN.**

A motion was made by Supervisor Dantine and seconded by Supervisor Moynihan “**to adjourn to the above date and time**”. Voice vote taken. Motion carried unanimously with no abstentions.

Meeting adjourned at 8:12 p.m.

\s\ DARLENE K. MARCELLE
Brown County Clerk